UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,222	02/06/2001	Ernest F. Covelli	10002273-1	6647

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EXAMINER
BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 November 2004</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-5,8-12 and 15-18</u> is/are rejected.

7) ☐ Claim(s) <u>6,7,13,14,19 and 20</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All   b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments, filed on 11/02/04, with respect to the rejection(s)of

claim(s) 1-5, 8-12 and 15-18 under *35 USC § 103* have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of the newly found prior art

of U.S. Patent Application No. 2005/0034029 To Ramberg et al.

Claim Rejections - 35 USC § 103.

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-5, 8-12, 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent Application No. 2005/0034029 to Ramberg et al in view of U.S. Patent

No. 6,336,175 to Shaath et al.

a.   As per claim 1,8 and 15, Ramberg et al teaches a method for transferring data

between a local device and a remote device over a network (See page 3, paragraph

[0033]). Furthermore, Ramberg et al teaches wherein the command specifies a plurality

of identifiers and first command is configured to return an associated value for each

identifier of said plurality of identifiers and issuing a second command by said

interceptor layer, said second command specifying a second plurality of identifiers

wherein said second command is configured to return a next identifier and associated

value for each identifier of said another plurality of identifiers in response to said

receiving of said first command (See page 4, paragraph [0042], Get" and "Set" operations

for retrieving and modifying information in a network node, such as the ADC device

platform. SNMP "Get" request retrieves one or more MIB item values. The SNMP

"Get-Next" request retrieves one or more MIB object values in the MIB. Upon receipt of

a "Get-Next" request, the SNMP master agent retrieves the next MIB entry based on the

object identifier provided for each OID in the received list). However, Ramberg et al fails

to teach local device having a communication architecture having at least an application

layer and an interceptor layer.

Shaath et al teaches local device having a communication architecture having at

least an application layer and a trap layer (See col. 7, lines 28-45)

It would have been obvious to one with ordinary skill in the art at the time the

invention was made to incorporate local device having a communication architecture

having at least an application layer and an interceptor layer as taught by Shaath et al in

the claimed invention of Ramberg et al in order for the trap layer to limit the requests

passed onto the file system layer by filtering or modifying the request (See col. 9, lines

40-57).

b.   As per claims 2, 9 and 16, Ramberg et al in view of Shaath et al teaches the

claimed invention as described above. However, Ramberg et al fails to teach modifying

each identifier of said first plurality of identifiers to an associated previous identifier to

create said second plurality of identifiers; and issuing said second command specifying

said second plurality of identifiers.

Shaath et al teaches modifying a first command to create a second command base

on the first command (See col. 7, lines 28-45)

It would have been obvious to one with ordinary skill in the art at the time the

invention was made to incorporate modifying a first command to create a second

command base on the first command as taught by Shaath et al in the claimed invention of

Ramberg et al in order to block request (See col. 7, lines 35-40).

c.   As per claims 3,10 and 17, Ramberg et al in view of Shaath et al teaches the

claimed invention as described above. Furthermore, Ramberg et al teaches receiving a

plurality of next identifiers and a plurality of values from said remote device, wherein

each next identifier of said plurality of next identifiers has a corresponding value among

said plurality of values (See page 4, paragraph [0042]).

d.   As per claims 4 and 11, Ramberg et al in view of Shaath et al teaches the claimed

invention as described above. .However, Ramberg et al fails to teach comparing one of

said first plurality of identifiers with associated one of said plurality of next identifiers.

Shaath et al teaches comparing the intercepted command (See col. 2, lines 46-48).

It would have been obvious to one with ordinary skill in the art at the time the

invention was made to incorporate comparing the intercepted command as taught by

Shaath et al in the claimed invention of Ramberg et al in order to block request (See col.

7, lines 35-40).

e.   As per claim 5,12 and 18, Ramberg et al in view of Shaath et al teaches the

claimed invention as described above. Furthermore, Ramberg et al teaches updating said

associated value of said one of first plurality of identifiers with corresponding value of

said associated one of said plurality of next identifiers in response to said one of said first

plurality of identifiers being equivalent to said associated one of plurality of next

identifiers (See page 4, paragraph [0042]).

Allowable Subject Matter

4.   Claims 6-7, 13-14, and 19-20 are objected to as being dependent upon a rejected

base claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Djenane M Bayard whose telephone number is (571) 272-

3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER